

PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council  
March 2, 2010

Lake Forest City Hall  
25550 Commercentre Drive  
Council Chambers  
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the Council action. The Council Minutes, when approved, stand as the official record of the meeting. This Preliminary Action Agenda is provided as quick reference only and is NOT intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.

CALL TO ORDER: 5:40 p.m.

ROLL CALL:	Council Members:	Kathryn McCullough Marcia Rudolph Mark Tetterer
	Mayor Pro Tem:	Richard T. Dixon
	Mayor:	Peter Herzog
	City Manager:	Robert C. Dunek
	City Attorney:	Scott C. Smith
	City Clerk:	Stephanie D. Smith

CLOSED SESSION (F: 16.3) 5:40 p.m.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(c)  
Number of Potential Cases: 1
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(a)  
Existing Litigation  
Number of Cases: 4

City of Lake Forest v. Lake Forest Body Centre, Charlie Abujudeh, Julie Ho, Christine Vo & El Toro Plaza, L.P. (Case No. 07-CC11555)  
Charlie Abujudeh v. City of Lake Forest (Case No. 07-CC10334)  
Julie Ho v. City of Lake Forest (Case No. 30-2008-00107142)  
Doris Vo, et al. v. City of Lake Forest, et al. (Case No. 30-2008-00113132)

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: PARCEL A: Parcels 9 through 14 of Parcel Map No. 84-121, as shown on a Map filed in Book 192, Pages 5 through 8 of Parcel Maps, records of Orange County, California.

EXCEPTING THEREFROM: Tract No. 13334 as shown on a Map filed in Book 617, Pages 42 to 46; Tract No. 13335 as shown on a Map filed in Book 617, Pages 33 to 41; those portions of Saddleback Ranch Road and Glenn Ranch Road of Tract No. 13524, as shown on a Map filed in Book 639, Pages 11 to 15; Tract No. 13849, as shown on a Map filed in Book 639, Pages 16 to 22, all of Miscellaneous Maps, records of Orange County California.

ALSO EXCEPTING THEREFROM: That portion described in "Irrevocable Offer of Dedication" recorded December 29, 1988 as File No. 88-679627 of Official Records of Orange County. Said offer was accepted by Resolution No. 88-1647 of the Orange County Board of Supervisors.

ALSO EXCEPTING THEREFROM: That portion described in "Irrevocable Offer to Convey Real Property" recorded July 23, 1991 as Document No. 91-384977 of Official Records. Said offer was accepted by Resolution No. 03-334 of Orange County Board of Supervisors, a certified copy of which recorded November 25, 2003 as Document No. 2003-1422386 of Official Records.

PARCEL B: Lots 8 through 13 of Tract No. 13849, as shown on a Map filed in Book 639, Pages 16 through 22, of Miscellaneous Maps, records of Orange County, California.

EXCEPTING THEREFROM that portion of Lot 9 described in Deed to the Irvine Ranch Water District recorded December 9, 1992 as Document No. 92-844000 of Official Records.

PARCEL C: Parcel 5 as shown on Exhibit "B" attached to that certain Lot Line Adjustment No. LL 91-022, recorded June 12, 1991 as Document No. 91-298380 of Official Records.

Agency negotiators: City Manager and City Attorney

Negotiating parties: Property Owner of Record

Under Negotiation: Price and Terms of Payment

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(b)

Number of Potential Cases: 2

5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8  
Property: 18 acre portion of Tentative Tract 15944 consisting of Lots 14, 15, 16, 21, and 22 along with the westerly 119'+ of Lot 20 and the westerly portion of Lot 17 described by a line extending from the common front corner between Lots 16 & 17 'M' Street to a point on the northeasterly line of Lot 20, 118'+ from the north center, Lake Forest, CA.

Agency negotiators: City Manager and City Attorney  
Negotiating parties: Property Owner of Record  
Under Negotiation: Price and Terms of Payment

6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8  
Property: APN: 612-022-10

Agency negotiators: City Manager and City Attorney  
Negotiating parties: Property Owner of Record  
Under Negotiation: Price and Terms of Payment

7. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(a)  
Existing Litigation  
Number of Cases: 1

City of Lake Forest v. Hernandez (Case No. 30-2009-00318656)

8. CONFERENCE WITH LEGAL COUNSEL – LIABILITY CLAIMS  
Pursuant to Government Code Section 54956.9(b)(3)(C)  
Claimant: Excel Paving  
Agency Claimed Against: City of Lake Forest

9. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957(b)(1)  
Title: City Attorney

ACTION: Conducted Closed Session.

RECESS: City Council recessed from Closed Session at 7:02 p.m. for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:09 p.m. with all Members present to

continue regular City business.

PUBLIC SESSION

7:09 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Mayor Pro Tem Dixon.

CLOSED SESSION REPORT: (F:16.3)

City Attorney stated there was no reportable action. He further stated the City Council would return to continued Closed Session at the end of the Public Session.

PRESENTATIONS:

10. RECOGNITION OF ORANGE COUNTY SHERIFF'S DEPUTIES, 2009 MOTHERS AGAINST DRUNK DRIVING AWARD RECIPIENTS submitted by Chief of Police Services. (F: 55.5) (X: 71.17)

ACTION: On motion by Council Member Tetteimer and second by Council Member McCullough, the City Council presented Certificates of Recognition to the 2009 Mothers Against Drunk Driving Award Recipients.

11. HOUSING MARKET AND PROPERTY TAX BRIEFINGS submitted by the Director of Finance/City Treasurer. (F: 30.17)

ACTION: Received presentations about the housing market and property tax revenues.

REPORT FROM STUDENT LIAISON:

Nikki David, Student Liaison from El Toro High School, presented her report.

RECESS: City Council recessed at 7:55 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:56 p.m. with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments: Vincent Burke, Kandice Hawes, Joanne Lambert, and Anthony Nguyen.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 12)

12. WARRANT REGISTER submitted by Director of Finance/City Treasurer in the amount of \$1,511,100.24. (F: 30.11)

ACTION: On motion by Council Member Tetterer and second by Council Member McCullough, the City Council approved the Warrant Register as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 13-21)

ACTION: On motion by Mayor Pro Tem Dixon and second by Council Member Tetterer, the City Council approved Consent Calendar Item Nos.\*13-15, & 17-21 as submitted. MOTION UNANIMOUSLY CARRIED.

- \*13. MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS WHICH APPEAR ON THE PUBLIC AGENDA SHALL BE DETERMINED TO HAVE BEEN READ BY TITLE AND FURTHER READING WAIVED submitted by City Clerk.

ACTION: Waived reading of Ordinances and Resolutions.

- \*14. MINUTES OF THE REGULAR MEETINGS OF THE CITY COUNCIL HELD ON JANUARY 5, AND 19, AND FEBRUARY 2, 2010, AND THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON JANUARY 19, 2010, submitted by City Clerk.

ACTION: Approved as submitted.

- \*15. 2010 MEMORIAL BIKE RIDE submitted by Chief of Police Services. (F: 71.17)

ACTION: The City Council: 1. Approved the City's participation in the 2010 Memorial Bike Ride. 2. Authorized the expenditure of \$2,000 to help offset the cost of participation in the bicycling event which raises money for Project 999.

- \*17. CHILD PASSENGER SAFETY submitted by Chief of Police Services.  
(F: 53.3)

ACTION: Approved participation in the Moving Children Safely Injury Prevention Conference conducted by the California Department of Public Health.

- \*18. SECOND AMENDMENT TO AGREEMENT FOR PUBLIC PROPERTY AND FACILITY LIGHTING MAINTENANCE AND REPAIR SERVICES submitted by Director of Public Works/City Engineer. (F: 48.8F5)

ACTION: City Council: 1. Approved the Second Amendment with Lake Forest Electric, for Public Property and Facility Lighting Maintenance and Repair Services, substantially in the form attached.

2. Authorized the Mayor to sign and the City Clerk to attest, the Second Amendment.

- \*19. SECOND AMENDMENT TO AGREEMENT FOR PLAYGROUND AND PARK SAFETY INSPECTION SERVICES submitted by Director of Public Works/City Engineer. (F: 34.3E)

ACTION: City Council: 1. Approved the Second Amendment with Playground Safety Analysts, for playground and park safety inspection services, substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest, the Second Amendment.

- \*20. QUARTERLY SIX MONTH CONTRACT EXPIRATION NOTICE MEMORANDUM submitted by Director of Management Services.

ACTION: Received and filed the Notice. (F: 11.2)

- \*21. BID DOCUMENTS FOR THE EL TORO PARK RENOVATION PROJECT (PW 2007.22B) submitted by Director of Public Works/City Engineer. (F: 34.3B PW 2007.22B)

ACTION: City Council: 1. Approved the bid documents for the construction of the El Toro Park Renovation Project (PW 2007.22B).  
2. Authorized staff to solicit bids.

#### PULLED CONSENT CALENDAR ITEMS:

16. EVERY 15 MINUTES PROGRAM submitted by Chief of Police Services.

(F: 53.3B)

Mayor Herzog pulled this item for separate consideration.

**ACTION:** On motion by Mayor Herzog and second by Mayor Pro Tem Dixon, City Council: 1. Approved participation in the program and authorize staff to work with the Every 15 Minutes staff to plan and implement the program. 2. Waived all permit and processing fees connected with the program. 3. Authorized Public Works to close Toledo Road between Ridge Route and Killy Street. 4. Authorized expenditure of \$2,500 to sponsor the Assembly portion of the Every 15 Minutes program. **MOTION UNANIMOUSLY CARRIED.**

#### DISCUSSION/ACTION ITEMS:

22. **LEGISLATIVE AND REGULATORY MATTERS** submitted by the Assistant to the City Manager. (F: 72.2B)

**ACTION:** By consensus the City Council directed staff to prepare a letter to the Southern California Association of Governments (SCAG) relating the City Council's preliminary position on the Subcommittee on Fiscalization of Land Use Draft Report.

23. **REQUESTS FOR APPOINTMENT TO AGENCIES, BOARDS, COMMISSIONS AND/OR COMMITTEES THROUGH THE LEAGUE OF CALIFORNIA CITIES** submitted by City Clerk.

**ACTION:** The City Council made no appointments.

#### CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

#### CITY COUNCIL COMMENTS:

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Council Member Tetteimer offered comments.

Mayor Pro Tem Dixon offered comments.

Mayor Herzog offered no comments.

CONTINUED CLOSED SESSION:

RECESS: City Council recessed at 8:50 p.m. for the purpose of continuing Closed Session business.

RECONVENE: City Council reconvened to continue regular City business at 9:32 p.m.

CLOSED SESSION REPORT: (F:16.3)

City Attorney stated there was no reportable action.

ADJOURNMENT: 9:32 p.m.